

Attachment A

Examples of Violations

Classes of Sanctions

Class A: Systemic issues that jeopardize the health and safety of people supported. These may result in a moratorium; termination of provider agreement; or management takeover. This level of sanction requires the approval of the Commissioner or designee before imposition.

Class B: Repeat violations or violations that involve multiple persons-supported or an agency that supports only one (1) person. This deficiency may result in daily cumulative sanctions of \$100.00 to \$500.00 until resolution of the deficiency. This level of sanction requires the approval of the Director of Risk Management and Licensure or designee prior to imposition.

Class C: An initial violation or a violation that involves one (1) person-supported or an agency that supports only one (1) person. This deficiency may result in a one-time sanction of \$100.00 to a maximum of \$500.00. This level of sanction requires the approval of the Regional Office Director or designee prior to imposition.

<u>Failure to Comply with:</u>	<u>Examples including, but not limited to:</u>	<u>Support</u>
The Provider Manual, memorandums or other DIDD policies, procedures or written guidelines	<ul style="list-style-type: none">• Failure to abide by protection from harm processes and procedures.• Authorized services not performed in accordance with the expectations in the provider manual.• Failure to manage a person's funds in accordance with the Personal Funds Management Policy.• Placing a person-supported in Immediate Jeopardy (e.g., not following dining plans or special diet).	Provider Agreement A.3
Provider Personnel Requirements	<ul style="list-style-type: none">• Failure to obtain permission for release of information for all new hires and contracted staff.• Failure to complete background checks.• Employing, retaining, hiring, or contracting with prohibited staff.	Provider Agreement A.11

Reporting Abuse, Neglect, and Exploitation (ANE)	<ul style="list-style-type: none"> • Failure to report suspected ANE. • Failure to cooperate with an ANE investigation. • Refusal to allow access to records. 	Provider Agreement A.12
Fraud	<ul style="list-style-type: none"> • Committing fraud. • Failure to cooperate with a fraud investigation. 	Provider Agreement A.13
Training	<ul style="list-style-type: none"> • Failure to comply with all training requirements within the specified time frames. • Failure to participate in Mandatory Technical Assistance. 	Provider Agreement A.15
Timely Reports	<ul style="list-style-type: none"> • Failure to submit reports within required time frames. • Failure to submit documents using prescribed forms and formats. • Failure to abide by documentation requirements as specified in the provider manual. 	Provider Agreement A.16
License requirements	<ul style="list-style-type: none"> • Lack of appropriate food in the home. • Failure to obtain or maintain appropriate licenses. • Failure to ensure appropriate supervision for clinical staff, e.g., licensed practical nurses. 	Provider Agreement A. 20
Freedom of Choice	<ul style="list-style-type: none"> • Impeding the person's Freedom of Choice of providers. • Forcing a person residing in Supported Living to move when another provider is selected. • Failure to ensure that the person-supported is not unduly influenced by the provider or the provider's employees. • Failure to ensure that the person-supported is not unduly influenced by the Independent Support Coordinator. 	Provider Agreement A.6

Continuity of Care	<ul style="list-style-type: none"> • Failure to provide written notice of discontinuation of services. • Failure to obtain state approval prior to discontinuing services. • Failure to cooperate with discharge planning. 	Provider Agreement A.19
Financial, Business and Service Records	<ul style="list-style-type: none"> • Failure to maintain bookkeeping and or accounting records. • Failure to maintain documentation of services provided. • Failure to maintain and store records for each person-supported. • Failure to maintain copies of pertinent medical records. 	Provider Agreement A.9; A.10
Medical Appointments	<ul style="list-style-type: none"> • Failure to ensure the person attends scheduled appoints. • Failure to arrange appointments as recommended by the person's healthcare providers. 	Provider Agreement A.3 Provider Manual Chapter 11
Retaliation	<ul style="list-style-type: none"> • Failure to allow a person-supported to seek resolution of a violation of their rights or complaints about the quality of their care without retaliation. • Retaliation against a person-supported in response to a complaint. 	Provider Manual Chapter 2 Provider Manual Chapter 2